

WASNEU TO
ARMADA
10-14-97
MK
COPY

CLERK'S
COPY

**TOWNSHIP OF ARMADA
MACOMB COUNTY, MICHIGAN**

ORDINANCE NO. 151

ARMADA TOWNSHIP BUILDING ORDINANCE

TITLE

AN ORDINANCE of the Township of Armada, Macomb County, Michigan, to adopt by reference the Basic Building Code, to make certain additions and changes thereto, to prescribe penalty for the violation thereof, to appoint a local enforcement agency and to repeal conflicting ordinances.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ARMADA, MACOMB COUNTY, MICHIGAN, ORDAINS:

SECTION 1. SHORT TITLE.

This Ordinance shall known and cited as the Armada Township Building Ordinance.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the public health, peace and welfare of property and persons in the Township of Armada by the adoption of the BOCA National Building Code, 1996 Edition and the One and Two Family Dwelling Code of CABO, 1995 Edition, with certain changes thereto, and to provide penalties for the violations thereof.

SECTION 3. ENABLING AUTHORITY.

This Ordinance is adopted in accordance with and pursuant to the provisions of the State Construction Code Act, being MCL 125.1501, et seq.; MSA 5.2949(1).

SECTION 4. ADOPTION BY REFERENCE.

Pursuant to the provisions of the State Construction Code Act, being MCL 125.1501, et seq.; MSA 5.2949(1), et seq., the BOCA Basic National Building Code, 1996 Edition, promulgated by the Building Officials and Code Administrators International, Inc., hereinafter referred to as the BOCA Code, and the One and Two Family Dwelling Code, 1995 Edition of CABO, promulgated by the Building Officials and Code Administrators, Inc., are hereby adopted by reference. Copies of the Codes are on file in the office of the Township Clerk in the Township of Armada, Macomb County, Michigan, being marked and designated as "The BOCA Basic National Building Code, 13th Edition, 1996," and the One and Two Family Dwelling Code, 1995 Edition."

SECTION 5. REFERENCES IN CODE.

References in the BOCA Code to "state" and (name of state) shall mean the State of Michigan; references to "Municipality" and (name of municipality), shall mean the Township of Armada, Macomb County , Michigan; references to the "Municipal Charter" and "Local Ordinances" shall mean the Ordinances of the Township of Armada, and all state laws pertaining to Township government.

SECTION 6. ENFORCEMENT AGENCY.

The Building Department of the Township of Armada administered by the Building Official is hereby appointed as the enforcement and administrative agency of the BOCA Code, pursuant to MCL 125.1509; MSA 5.2949(8).

SECTION 7. CHANGES IN CODE.

- A. That Section 114.3.1 of Article I of the BOCA Basic Building Code as above recited is hereby amended to read as follows:

"Section 114.3.1 **FEE SCHEDULE:** All building permit fees, inspection fees and related fees imposed for the administration and enforcement of this Ordinance to be as established by Resolution of the Township Board and may be amended from time to time hereafter.

- B. That Section 1014.6 of the BOCA Basic Building Code as above recited shall be deleted and the following substituted therefor:

In occupancies in Use Group R-3 and within dwelling units in occupancies in the Use Group R-2, the maximum riser height shall be 8 1/4 inches (210mm) and the minimum tread depth shall be 9 inches (229mm). A 1-inch (25mm) nosing shall be provided on stairways with solid risers.

- C. That Section 314.2 of the One and Two Family Dwelling Code, as above recited, shall be repealed and the following substituted therefor:

R-213.1 General: When risers are closed, all treads may have a uniform projection not to exceed 1 1/2 inches.

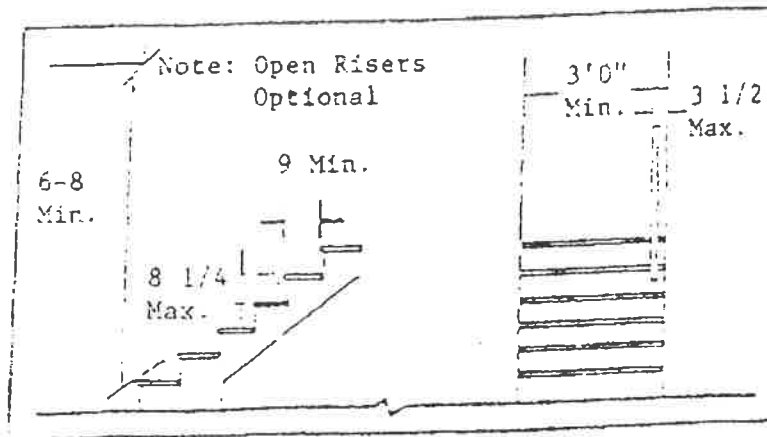
The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch. The greatest tread run within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

Stairways shall not be less than 3 feet in clear width, and the headroom rise and run shall conform to Figure No. R-213.1. Handrails may project from each side of a stairway a distance of 3 1/2 inches into the required width.

R-213.2 Winders: Winders are permitted, provided the width of the tread at a point not more than 12 inches from the side where the treads are narrower is not less than 9 inches, the minimum width of any tread is not less than 6 inches, and the average width of any tread is not less than 9 inches

R-213.3 Spiral stairs: Spiral stairways are permitted, provided the minimum width shall be 26 inches with each tread having a 7 1/2-inch minimum tread width at 12 inches from the narrow edge. All treads shall be identical, and the rise shall be no more than 9 1/2 inches. A minimum headroom of 6 feet 6 inches shall be provided.

Figure No. R-213:
STAIRWAYS



D That Section 117.4. Article I of the BOCA Basic Building Code as recited, is hereby amended to read as follows:

"Any person who shall violate a provision of the BOCA Basic Building Code or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or a certificate issued under provisions of BOCA, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 and/or by imprisonment, not exceeding 90 days in the Macomb County jail. Each day that a violation continues shall be deemed to be a separate offense."

SECTION 8. REPEAL OF CONFLICTING PROVISIONS.

That all Ordinances of the Township of Armada, Macomb County, Michigan, are specifically hereby repealed that conflict with the provisions of this Ordinance upon the effective date of this Ordinance except all portions of Ordinances as amended with respect to fees which are the current fees of the Township of Armada shall remain in full force and effect until modified by Ordinance or Resolution of the Armada Township Board from time to time.

SECTION 9. SAVINGS CLAUSE.

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any Act or Ordinance hereby repealed as by this Ordinance nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 10. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11. PUBLICATION.

A true copy or summary of this Ordinance shall be published in the Armada Times, a newspaper having general circulation within the Township of Armada.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days from and after publication of a true copy or summary thereof as heretofore provided in Section 11.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of the Township of Armada, Macomb County, Michigan, at a regular meeting held on the 14th day of October, A.D., 1998.

I hereby further certify that the following Board Members were present at said meeting:

Joan Parnagian, Anna Cox, Monica Job, Margaret M. Ruthenberg

and the following Board Members were absent:

Dennis Lemieux

I further certify that Member Parnagian moved for the adoption of said Ordinance, and that motion was supported by Member Job.

I further certify that the following Armada Township Board Members voted for the adoption of said Ordinance:

Parnagian, Cox, Job, Ruthenberg

and that the following Armada Township Board Members voted against adoption of said Ordinance: None


MARGARET RUTHENBERG
Armada Township Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on October 21, 1998, the foregoing Ordinance or Summary thereof was duly published in the Armada Times, a newspaper having general circulation within the Township.



MARGARET RUTHENBERG
Armada Township Clerk